

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

TRUSTEES OF MICHIGAN ELECTRICAL  
EMPLOYEES' PENSION FUND, et al.,

Plaintiffs,

Case No. 4:19-cv-12714  
Hon. Matthew F. Leitman

v.

MARKEE ELECTRIC, INC., et al.,

Defendants.

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**ORDER ADMINISTRATIVELY STAYING CASE  
AS TO DEFENDANT RICK MARKEE**

The court has been informed that a petition in Bankruptcy has been filed by defendant Rick Markee (Richard Markee) ("Markee") which case has been assigned number 19-32571 in the United States Bankruptcy Court for the Eastern District of Michigan. In accordance with 11 U.S.C. § 362, this civil action is automatically stayed as to the alleged debtor, Markee, until the Bankruptcy proceedings in question are terminated or the stay is lifted. 11 U.S.C. §362(c).

The automatic stay provision of the Bankruptcy Reform Act of 1978, 11 U.S.C. § 101, *et seq.*, halts the commencement or continuation of litigation against the debtor by adverse parties; it does not divest this Court of jurisdiction to issue necessary orders in civil actions which are stayed in Bankruptcy. *See Connell v. Walker*, 291 U.S. 1, 54 S.Ct. 257 (1934); *Donald F. Duncan Inc. v. Royal Tops*

*Mfg. Co.*, 381 F.2d 879 (7<sup>th</sup> Cir. 1967), *cert. denied*, 390 U.S. 905, 88 S.Ct. 819 (1968).

Accordingly, in the interest of the effective administration of the Court's business, without prejudice to any other party to this action, and in keeping with the intent and spirit of the automatic stay provision of the Bankruptcy Reform Act, 11 U.S.C. § 362, this matter is hereby administratively STAYED with regard to defendant Markee. This stay is for administrative purposes only. Upon termination of the aforementioned bankruptcy proceedings, or the lifting of the automatic stay with reference to the instant proceeding, leave is hereby granted to allow either party to move to reopen this action. Any such motion need only refer to this order and it will be granted.

/s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: November 7, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 7, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
(810) 341-9764